

**REMARKS**

Claims 1, 5 and 10-15 are pending in the present application. By virtue of this response, Claims 1, 5 and 10 have been amended. Amendment or cancellation of claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

**Rejections**

Claims 1 and 11-13 stand rejected under 35 U.S.C. §102 as anticipated by Sugano.

Claim 5 stands rejected under 35 U.S.C. §102(e) as anticipated by Goto. Claims 10 and 14-15 stand rejected under 35 U.S.C. §103 as unpatentable over Goto in view of Ohbuchi.

The Examiner indicated that amending the word "at" to read "on" in line 8 of Claim 5 would overcome the Goto reference. Claim 5 has been amended and hence is allowable over Goto. Hence Claim 5 is allowable since there were no other rejections of Claim 5.

Similarly all claims dependent upon Claim 5, which are Claims 10, 14, and 15 are similarly allowable. The amendment to Claim 10 is to more clearly have antecedent basis.

**Sugano Rejection**

Claim 1, rejected citing Sugano, has been amended. First, similar to Claim 5, Claim 1 has been amended to recite instead of "the markers being formed at one or both of the edges of the electrode patterns" to say "the markers being formed on one or both of the edges of the electrode patterns."

Second, Claim 1, line 12, has been amended to recite "which is continuous one marker to the next in the first direction" referring to the periodical pattern of the markers.

Last, the final clause added to Claim 1 recites “and each laser device being cut or sectioned to have a length which is an integral multiple of the length of a marker.”

These amendments are well supported in the specification. The change from “at” to “on” is, as indicated by the Examiner for Claim 5, permissible. It is also clear that the markers are continuous one to the next in the drawings.

The final clause added to Claim 1 is also well supported by the specification, see for instance page 16, lines 4-16, and Figures 1 and 2. The specification at this point describes how the semiconductor laser devices can have a resonator length equivalent to the total length of an integral number of markers, for instance, the length may be that of four markers or five markers or three markers in various embodiments. Hence this amendment is also well supported.

These features are each clearly not shown in Sugano. Sugano uses a different approach. Sugano has a plurality of electrode patterns extending in the first direction, where the resonator length direction is equal to the cavity length direction. Each electrode pattern in Sugano does have the rectangular protruding shapes periodically formed at both its edges extending in this first direction. However, Sugano does not include the feature that each of these marker has “an overall length in the first direction equal to  $L/n$  and not greater than the resonator length  $L$ , where an  $L$  is the resonator length and  $n$  is a positive real number and not smaller than 1 as recited in Claim 1, lines 14-16.

Hence Claim 1 even without amendment distinguishes over Sugano.

In addition, there is at least another distinctive feature in the present claims over Sugano. In Sugano each electrode pattern has the rectangles at intervals in the first direction, but these do not serve as “markers” for use in cutting or sectioning the wafer or semiconductor bars into semiconductor bars or laser chips of particular lengths. That is because these rectangles do not extend in the needed direction to serve as scribe lines or cutting lines. To the contrary in Claim 1, as recited, the markers serve as markers for purposes of cutting or sectioning. Hence the final clause of Claim 1 which says “each laser device being cut or sectioned to have a length which is an

integral multiple of the length of a marker.” It is clear that in Sugano the rectangular patterns are not suitable for cutting or sectioning and hence the resulting laser devices would not have a length equal to that of a multiple number of the rectangles.

Hence Claim 1 clearly distinguishes over Sugano for each of these reasons and is allowable thereover.

Similarly Claims 11-13 dependent upon base Claim 1 are allowable for at least the same reasons as is the base claim.

**CONCLUSION**

In view of the above, all presently pending claims in this application are believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Attorney Docket No. 259052003300.

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Respectfully submitted,

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